

11:06:47

1 A. Federal law does not allow that.

11:06:49

2 Q. What federal law?

11:06:51

3 A. I -- I just answered that, ma'am.

11:06:52

4 Q. I mean, I guess I'm just -- I guess I'm trying

11:06:54

5 to figure out what evidence of what federal law do you

11:06:56

6 have that says that -- that -- and I'm not even sure I

11:07:04

7 understand what it is that you're saying can or can't

11:07:07

8 be done. You're talking about a content mastery class

11:07:10

9 and ACE?

11:07:11

10 A. Exactly.

11:07:11

11 Q. And so one was for special ed and one was for

11:07:15

12 failing students?

11:07:17

13 A. Failing students or students who were having

11:07:20

14 problems in -- in the classroom, yes. But resource

11:07:25

15 students have their classroom, co-teach students have

11:07:30

16 theirs, and they --

11:07:32

17 Q. What is a resource student and a co-teach

11:07:37

18 student?

11:07:37

19 A. I really can't define it, I guess, but I do

11:07:42

20 know that co-teach students have two teachers in the

11:07:46

21 classroom.

11:07:46

22 Q. Okay.

11:07:47

23 A. I do know that. And resource students are

11:07:50

24 students who need a great deal of help. And I don't

11:07:57

25 know, you know, how to define it --

1 Q. Are they --

2 A. -- for you.

3 Q. I'm sorry.

4 A. Okay.

5 Q. Are they disabled? Are resource students
6 disabled?

7 A. No. They're -- they're not necessarily
8 disabled, it's the learning -- it's the mental
9 capacity, so to speak. They're not disabled, though.

10 Q. Maybe more disciplinary students?

11 A. They need more one on one.

12 Q. Okay.

13 A. I would say.

14 Q. Okay. So you were in which class, a resource
15 student class or a co-teach student class?

16 A. I was in neither one of those. I was
17 responsible for the ACE program.

18 Q. Okay.

19 A. And -- and that's what I was responsible for.

20 Q. So how many students did you have in a class?

21 A. There could be 25 or 30 students at a time.

22 That was the maximum number that we could allow space
23 and desks, etcetera.

24 Q. Okay. So you said you complained to
25 Ms. Ruffin?

11:09:17

1 A. Yeah. I -- I told her that that was incorrect.

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2 Q. And what did she say in response?

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3 A. I don't recall what her response was, but she

11:09:27

4 didn't take it too well, I guess, because she didn't

11:09:33

5 accept it.

11:09:35

6 Q. Well, what did she do, when you say she didn't

11:09:40

7 take it too well?

11:09:45

8 A. She just -- like I said, she wrote that

11:09:47

9 conference form on me -- up on me. That was the first

11:09:50

10 thing that she did after I had found the information on

11:09:56

11 the internet that -- and I gave the information to

11:10:01

12 teachers for their information. She found out about it

11:10:05

13 and she wrote me up for it.

11:10:14

14 Q. Did you complain to anybody else?

11:10:17

15 A. No. I spoke to her about it. I didn't

11:10:19

16 complain to anyone else.

11:10:21

17 Q. Why not?

11:10:25

18 A. The way she accepted it, I didn't -- I didn't

11:10:28

19 think it would -- I don't know. I just didn't because

11:10:35

20 I was trying to help and it didn't get me anywhere.

11:10:39

21 Q. So you felt like -- you felt like Ms. Ruffin

11:10:41

22 was violating the law?

11:10:46

23 A. I know she was.

11:10:47

24 Q. And yet you didn't complain to anybody in 2001?

11:10:52

25 A. Like I said, she's the only one I complained to

11:10:59

1 that I spoke to about it. She didn't receive it well.

11:11:02

2 Q. Did you tell her, "You're breaking the law"?

11:11:05

3 A. I don't know if I said that or not. I'm not

11:11:13

4 that kind of person, first of all. I'm not

11:11:17

5 confrontational. I was trying to help. I found the

11:11:19

6 information and I was punished for it and I've been

11:11:25

7 punished ever -- been punished ever since the length of

11:11:26

8 time I was there. And that sums it up, ma'am.

11:11:29

9 Q. What punishment did you receive?

11:11:31

10 A. She removed me from that program.

11:11:34

11 Q. What program?

11:11:35

12 A. The ACE program.

11:11:37

13 Q. And put you where?

11:11:39

14 A. In a classroom.

11:11:41

15 Q. Doing what?

11:11:42

16 A. English.

11:11:44

17 Q. And so that was a punishment?

11:11:46

18 A. Yes, it was.

11:11:47

19 Q. How come?

11:11:49

20 A. The door was open for her to start the attacks,

11:11:57

21 I'll call them.

11:11:58

22 Q. What attacks?

11:12:00

23 A. Well, that's what she did. She -- she set me

11:12:04

24 up in the -- in the classroom and that gave her the

11:12:07

25 opportunity to set up conferences and confrontations

11:12:15

1 and whatever with parents and students. And that was
2 her main purpose and that's what she did.

11:12:19

11:12:21

3 Q. Okay. So that started in 2001 is what you're
4 saying?

11:12:24

11:12:24

5 A. Exactly.

11:12:24

6 Q. So at 2001 --

11:12:26

7 A. At the end of that school year, I was removed
8 from that program. And the other two people next door

11:12:28

9 in CMC, who are Caucasian, they were not removed and

11:12:32

10 they're the ones who told her that it was all right to

11:12:37

11 do that, place those students there. And I'm saying

11:12:39

12 it's not all right and then she removes me.

11:12:43

11:12:47

13 Q. And they were Caucasian and female?

11:12:51

14 A. Exactly.

11:12:52

15 Q. And you're female?

16 A. Yes.

11:12:54

17 Q. And Ms. Ruffin is African-American?

11:12:57

18 A. Yes.

11:12:58

19 Q. And she's female?

20 A. Yes.

11:13:01

21 Q. Okay.

11:13:01

22 A. That's right.

11:13:05

23 Q. So this form -- this charge of discrimination
24 is dated showing that the earliest form of

11:13:09

25 discrimination took place on 3/30/2005, but you've

11:13:17

1 clarified for me today that you think it started

11:13:20

2 actually in 2001; correct?

11:13:22

3 A. Okay. It started in 2001.

11:13:31

4 Q. Do you remember when?

11:13:33

5 A. The 2001-2002 school year. At the end of that

11:13:37

6 year, I was removed from -- from ACE.

11:13:40

7 Q. And did you complain about that?

11:13:41

8 A. To whom.

11:13:42

9 Q. To anybody?

11:13:47

10 A. I didn't know anyone to complain to, ma'am.

11:13:51

11 Q. Okay. Did you -- you acknowledged earlier that

11:13:53

12 you were familiar with the district policy regarding

11:13:56

13 grievance -- regarding -- that the policy -- the

11:13:59

14 district had policies; correct?

11:14:01

15 A. Yes.

11:14:01

16 Q. And are you aware that the district has

11:14:03

17 policies regarding grievances?

11:14:05

18 A. Yes, I am.

11:14:07

19 Q. Okay. Have you ever filed a grievance through

11:14:10

20 that procedure before?

21 A. Yes.

11:14:14

22 Q. When did you do that for the first time?

11:14:18

23 A. 2004.

11:14:19

24 Q. 2004. Okay. So what you're telling me is that

11:14:24

25 in 2001, you felt that you were discriminated against?

11:14:26

1 A. Yes.

11:14:27

2 Q. But you didn't complain about it in 2001?

11:14:31

3 A. No, I didn't.

11:14:32

4 Q. Did you complain about it in 2002?

5 A. No.

11:14:37

6 Q. Did you complain about it in 2003?

11:14:40

7 A. Not to my knowledge, no.

11:14:42

8 Q. Okay. So when you complained in 2004, what did

11:14:47

9 you complain about?

11:14:53

10 A. At -- when I filed that grievance, it was

11:14:57

11 regarding my appraisal.

11:14:58

12 Q. It wasn't regarding your appraisal?

13 A. Yes.

11:15:04

14 Q. So was it regarding race?

11:15:07

15 A. It was regarding my appraisal.

11:15:08

16 Q. So was it regarding race?

11:15:10

17 A. No.

11:15:11

18 Q. Was it regarding sex?

11:15:12

19 A. No.

11:15:13

20 Q. Was it regarding discrimination of any kind?

11:15:15

21 A. No.

11:15:16

22 Q. So was it regarding complaints regarding the

11:15:19

23 CMC?

11:15:19

24 A. Not in 2004. That happened in 2001-2002 school

11:15:23

25 year.